

**UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

In re EX PARTE Application of Robert Preslier
for an Order, Pursuant to 28 U.S.C. § 1782 to
Obtain Discovery from the Calder Foundation for
Use in a Foreign Proceeding,

Applicant.

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) Case No. 1:20-cv-00684

) **[PROPOSED] ORDER**
) **GRANTING JUDICIAL**
) **ASSISTANCE**
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Applicant Robert Preslier (the “Applicant” or “Preslier”) filed this *ex parte* application (the “Application”) for an order pursuant to 28 U.S.C. § 1782 authorizing it to take discovery from the Calder Foundation for use in foreign proceedings. For the reasons set forth below, and for good cause shown, it is hereby:

ORDERED that the Application is **GRANTED** for the following reasons:

- A. Preslier satisfies each statutory requirement for Section 1782 discovery: the Calder Foundation is found in this District; the requested discovery is for use in a foreign proceeding; and Preslier, as a participant in those proceedings, is an interested person within the meaning of Section 1782;
- B. The discretionary factors favor granting the requested discovery, which will foster the twin aims of Section 1782; and it is further

ORDERED that the Applicant is authorized to serve the Calder Foundation with the subpoena attached to the Declaration of R. Zachary Gelber as Exhibit 3 (the “Subpoena”); and it is further

ORDERED that the Calder Foundation shall produce the documents in its possession, custody, and control that are responsive to the requests in the Subpoena, no later than thirty (30) days after the entry of this Order.

New York, NY

Date: _____, 2020

United States District Judge